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BUMBO (PTY) LTD.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WENDY D. WHITSON, etc., et al.

Plaintiff,

vs.

BUMBO, et al.,

Defendants.

Case No. CV-07-5597 CW

DECLARATION OF JESSICA  
VIKER IN SUPPORT OF BUMBO  
(PTY) LTD.'S *AMENDED* MOTION  
TO SET ASIDE DEFAULT, QUASH  
SERVICE, DISMISS FOR  
IMPROPER SERVICE, LACK OF  
PERSONAL JURISDICTION AND  
FAILURE TO SERVE, AND FOR  
SANCTIONS

Date: February 14, 2008

Time: 2:00 p.m.

Place: Courtroom of the Hon.  
Claudia Wilken

I, Jessica Viker, declare:

1. I am a paralegal at the law firm of Condon & Forsyth LLP ("C&F"), attorneys of record for defendant Bumbo (Pty) Ltd. ("Bumbo-Pty"). I have personal knowledge of the facts stated in this declaration, and, if called as a witness, could competently testify to these facts. I submit this declaration in support of Bumbo-Pty's *Amended* Motion to Set Aside Default, Quash Service, Dismiss for Improper Service, Lack of Personal Jurisdiction and Failure to Serve, and For Sanctions.

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2. I telephoned the office of Plaintiff's counsel multiple times during the months of November and December, 2007 requesting information on service.

3. I spoke to Jeremy R. Fietz, Esq. ("Fietz") sometime in late November/early December 2007. Fietz advised that he had no knowledge whatsoever about the case and that Donald S. Edgar, Esq. ("Edgar") would be the person with whom to speak.

4. Despite leaving a message for Mr. Edgar, I never received a return telephone call.

5. I then called Mr. Edgar who stated that Bumbo-Pty has been served "in South Africa" "sometime in October", but refused to give any details regarding when and how the service had been effected, or even the exact date on which service had occurred.

6. I have spent five (5) hours of time in monitoring the court's docket daily as well as in communications with Plaintiff's counsel. My hourly rate is \$110.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 11<sup>th</sup> day of January, 2008 at LOS ANGELES, CA

  
Jessica Viker